

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

THE BURLINGTON INSURANCE
COMPANY,

Plaintiff,

v.

PMI AMERICA, INC., et al.,

Case No. 2:08-CV-1054
JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Terence P. Kemp

Defendants.

ORDER

This matter is presently before the Court on the parties' Joint Motion to Convert Final Pre-Trial Conference to Mediation and to Stay Pre-Trial Deadlines (Doc. No. 150), which is hereby **GRANTED**. The Court **VACATES** its Order setting the pre-trial deadlines. (Doc. No. 146.)

This case is set for a settlement conference on May 17, 2012 at 9:00 a.m. under Fed. R. Civ. P. 16(a)(5) before The Honorable Edmund A. Sargus, Jr., United States District Court, 85 Marconi Boulevard, Room 301, Columbus, Ohio 43215. Counsel and the parties shall adhere to the following with respect to the settlement conference:

- (1) The trial attorney for each party must attend the conference.
- (2) The parties or principals with settlement authority shall be present. Fed. R. Civ. P. 16(c). In rare instances, the Court may permit a party to be available by telephone.
- (3) No later than three days before the conference, each party shall submit directly and only to Chambers a letter (**Confidential Assessment**), not to exceed three pages, (a)

explaining the party's theory of the case, (b) indicating its position on settlement (in monetary terms, if applicable), and (c) setting forth all conditions necessary to achieve settlement (including non-monetary terms).

(4) Before the conference counsel shall discuss with their clients whether this case would be appropriate for a summary jury trial or some other form of alternative dispute resolution. Fed. R. Civ. P. 16(c)(9); S.D. Ohio L.R. 53.1; see Judge Thomas D. Lambros, The Summary Jury Trial and Other Alternative Methods of Dispute Resolution, 103 F.R.D. 461 (1984). This Court has seen excellent results in summary jury trials in a wide variety of cases. The Court encourages the parties to consider seriously this option, which has consistently resulted in significant savings over the cost of a full trial.

Any questions regarding the settlement conference should be addressed to the Court's Law Clerk on this case, Penny Barrick, at (614) 719-3243.

IT IS SO ORDERED.

5-3-2012
DATE


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE